



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/686,164

10/15/2003

Attila Grauzer

PA0921.ap.US

9701

7590 05/04/2007
Mark A. Litman & Associates, P.A.
York Business Center, Suite 205
3209 West 76th St.
Edina, MN 55435

EXAMINER

SAVIC, BORIS

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

05/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/686,164

Applicant(s)

GRAUZER ET AL.

Examiner

Boris Savic

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 60,61 and 70-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 60,61 and 70-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/1/2004 and 6/16/2006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

This action is in response to applicant's amendment received on 4/16/2007.

Response to Amendment

It has been noted that claims 1-59 have been cancelled. Claims 62-69 have been withdrawn. Claims 60-61 and 70-75 are pending.

Claim Objections

Regarding claim 64, Examiner assumes that claim 64 is withdrawn because it depends on independent claim 62, which is withdrawn.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 60 is rejected under 35 U.S.C. 102(b) as being anticipated by James Albrecht (US 6,250,632 B1).

Regarding claim 60, Albrecht discloses a housing mounted into a gaming table surface such that a card receiver for accepting a group of cards to be shuffled is recessed beneath the top surface of the gaming table (it is inherent to have the cards mounted beneath the table; col. 10, lines 31-37); the card receiver for accepting a group of cards to be shuffled (col. 6, lines 4-40); a randomizing system for randomizing the order of an initial set of playing cards (col. 11, lines 20-37); a collection surface for receiving randomized cards (col. 6, lines 4-40); an elevator for raising the collection

Art Unit: 3714

surface to an elevation proximate the gaming table surface (col. 6, lines 4-40); and a microprocessor for controlling the operation of the card shuffler (col. 11, lines 20-37).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 61, 73, and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albrecht in view of Stanley Stevens et al. (US 5,000,453 A).

Regarding claim 61, Albrecht teaches an automatic card shuffler of claim 60 above. Albrecht does not teach a movable cover that is closed at least part of the time over at least one of the card receivers and collection surface. Stevens teaches an automatic cover used for security (col. 7, lines 7-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to have a cover that opens and closes for increased security.

Regarding claims 73 and 74, Albrecht teaches an automatic card shuffler of claim 60 above. Albrecht does not teach wherein there is a remote controller for controlling the card randomizing system by means of a user-manipulated remote control device and wherein the remote controller is selected from the group consisting of an infra-red (I.R.) controller and a foot pedal. Stevens teaches a foot pedal switch used as a controller (col. 13, lines 56-64). It would have been obvious to one of ordinary skill in

Art Unit: 3714

the art at the time of the invention to include a foot pedal for a better control of the card shuffler.

Claims 70-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albrecht in view of Stevens and further in view of Oetze A. Verschoor (US 5,356,145 A).

Regarding claims 70 and 71, Albrecht and Stevens teach an automatic card shuffler with food pedal as stated above. Albrecht and Stevens do not teach a gripping support mechanism for suspending at least one card within the card randomizing area; a mechanism for automatically adjusting the gripping support mechanism during operation to suspend cards of varying dimensions; and wherein the gripping support mechanism comprises a pair of spaced apart gripping pads that move towards the edges of a stack of cards. Verschoor teaches gripping rollers for carrying the playing cards from the shuffling compartment located in the first position to the shuffling compartment located in the second compartment. A microprocessor activates the gripping rollers s determined by an algorithm (Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the gripping rollers for suspending playing cards, because it would be more efficient.

Regarding claim 72, Albrecht discloses a sensor for sensing the presence of a substack of suspended cards (col. 7, lines 51-60).

Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Albrecht in view of Stevens and further in view of A. James Owen, Jr. et al. (US 5,524,891 A).

Regarding claim 75, Albrecht and Stevens teach an automatic card shuffler with food pedal as stated above. Albrecht and Stevens do not teach wherein the remote

Art Unit: 3714

controller comprises an infrared controller. Owen teaches a remote radio or infrared controller held by the player that activates a receiver on the training device 30 (col. 6, lines 48-59). It would have been obvious to one of the ordinary skill in the art at the time of the invention to include an infrared controller, because it would produce more precise results.

Response to Arguments

Applicant's remarks have been fully considered but they are deemed moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Savic whose telephone number is (571) 272-2849. The examiner can normally be reached on Monday - Friday, 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BS

BS

Ronald Jensen
Primary Examiner
4/30/07